

SAWYER & ASSOCIATES REAL ESTATE, Inc.

SENT VIA FEDERAL EXPRESS

May 20, 2008

Office of the General Counsel Federal Elections Commission 999 E Street, NW Washington, DC 20463 MUR# 6018

RE: FRIENDS TO ELECT GEORGE E. MITCHELL FOR CONGRESS FEDERAL ELECTION COMMISSION FORM 3
REPORT OF RECEIPTS AND DISBURSEMENTS

To Whom It May Concern:

Mr. George Mitchell worked for Sawyer & Associates Real Estate, Inc, from December 25, 2007 to March 17, 2008 when he was terminated for just cause. During his employment and according to the attached Broker-Agent Independent Contractor Agreement, Mr. Mitchell paid administrative fees of \$1,000 a month for his real estate business as agreed too in the attached addendum to the Agreement.

It was brought to my attention that Mr. Mitchell had indicated on the above-referenced reports to the Federal Election Commission that he paid Sawyer and Associates Real Estate, Inc. \$1,500 on July 30, 2007 and \$3,000 on December 31, 2007 for "office rent" for his campaign. It has been requested on two different occasions. (see attached letter) that he amend those reports to remove the name of Sawyer & Associates Real Estate, Inc. as a recipient of funds as the reports are inaccurate. To date, according to your website, the reports have not been corrected.

Please be advised that Sawyer & Associates Real Estate, Inc. did not receive any funds from Mr. Mitchell for rental of office space or for any other expenses related to his campaign for the United States Congress.

I would greatly appreciate your assistance in removing the name of Sawyer and Associates Real Estate, Inc. from his congressional campaign reports as a recipient of funds.

Letter to: Office of the General Counsel

May 20, 2008 Page Two

Should you need to speak with me, I can be reached during regular business hours on 301-449-9700.

Sincerely,

Elaine W. Sawyer President/Broker

Elaine W. Sauge

Enclosures

Broker-Sales Agent Independent State full any land:

Contractor Agreement

Letter to Mr. George Mitchell Prince George's Cty: FEC Report of Receipts & Disbursements

for periods ending 09/30/07 & 12/31/07

Sworn to before me on clay 20,2008

Uly Commission expires 12-1-2009



SAWYER & ASSOCIATES REAL ESTATE, Inc.

SENT VIA FIRST CLASS MAIL

April 15, 2008

Mr. George E. Mitchell

Upper Mariboro, MD 20772

RE: FEDERAL ELECTION COMMISSION FORM 3
REPORT OF RECEIPTS & DISBURSEMENTS

Dear George:

As per our conversation of approximately three weeks, I am again respectfully requesting that you remove the name of "Sawyer & Associates Real Estate, Inc." from the above-referenced reports filed with the FEC. As we both are aware, Sawyer & Associates Real Estate, Inc. did not receive any funds from your campaign for "office rent".

Please be advised that if the company name is not removed from your reports by April 30, 2008, I will make a request directly to the Federal Elections Commission to have my name removed.

Sincerely,

Elaine W. Sawyer

President

cc: Shawn Wright, Esquire Blank Rome, LLP

BROKER-SALES AGENT INDEPENDENT CONTRACTOR AGREEMENT

THIS ACREEMENT, made this 55 day of December, 2006
by and between Sawyer & Associates Real Estate, Inc.
hereinafter referred to as Broker, and GEORGE Motokelf
,hereinafter referred to as Sales Agent, for
and in consideration of their mutual promises and agreements and for their mutual benefits do agree that:
WHEREAS, Broker is now engaged in business as a general Real Estate Broker in the State of Maryland and/or other jurisdiction, and is qualified to and does operate a general real estate business and is duly qualified to and does procure listings of real estate for sale, lease or rental and prospective purchasers, lessees, and renters thereof, and has and does enjoy the goodwill of and a reputation for fair dealing with the public; and
WHEREAS, Broker maintains an office at 7124 Temple Hill Road
Temple Hill, MD 20748
properly equipped with furnishings and other equipment necessary and incidental to

properly equipped with furnishings and other equipment necessary and incidental to the property operation of said business, staffed with employees and suitable for serving the public as a Real Estate Broker; and

WHEREAS, Sales Agent is an independent contractor now engaged in business as a Real Estate Sales Agent, duly licensed by the State of Maryland and/or other jurisdiction; and

WHEREAS, it is deemed to be to the mutual advantage of Broker and Sales Agent to enter into this Independent Contractor relationship upon the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants hereinafter contained, it is mutually agreed as follows:

- 1. Broker agrees to make available to the Sales Agent all current listings of the office, except such as the Broker for valid and usual business reasons may keep exclusively in Broker's possession or may place exclusively in the temporary possession of some other Sales Agent, and agrees upon request to assist the Sales Agent in his work by advice and instruction and agrees to provide full cooperation in every way possible when requested if to do so does not otherwise interface with other business arrangements of Broker.
- 2. Broker agrees that in connection with the subject matter of this Agreement, the Salas Agent may share with other Salas Agents all of the facilities of the office (including, but not limited to, desk space, clerical service and general office facilities) now operated by Broker at the location specified herein.

- 3. Sales Agent agrees to work diligently and with his best efforts to sell, lease or rent any and all real estate listed with the Broker, to solicit additional listings and customers for said Broker and himself, and otherwise promote the business of serving the public in real estate transactions, to the end that each of the parties hereto may derive the greatest profit possible.
- 4. Sales Agent agrees to hold membership in the Board of REALTORSD as required by Broker in any jurisdiction where license is used and conduct his business and regulate his habits so as to maintain and to increase the goodwill and reputation of the Broker and the Sales Agent; and the Broker and Sales Agent agree to conform to and abide by all laws, rules and regulations, and codes of ethics that are binding upon or applicable to real estate brokers and real estate sales agents in the appropriate jurisdiction, including the Code of Ethics of the National Association of REALTORSD. Each party acknowledges receipt and knowledge of said Code of Ethics, the Constitution and the Bylaws of the Prince George's County Board of REALTORSD, Inc., the Rules and Regulations of the Board's Multiple Listing Service and of a current copy of the State of Maryland Real Estate License Law., in addition to Broker's Policy and Procedure Manual.
- The commissions to be charged for any services performed hereunder shall: be those determined by the Broker and the Broker shall advise the Sales Agent of any special commission arrangement relating to any particular transaction which he undertakes to handle. When the Sales Agent shall perform any service hereunder whereby a commission is earned, said commission shall, when collected, be divided between the Broker and the Sales Agent, in which division the Sales Agent shall receive a proportionate share of said commission as set out in the Broker's Policy and Procedures Manual and/or in a separate schedule attached hereto and the Broker shall receive the balance. In the event of special arrangements with any client of the Broker or the Sales Agent on property listed with the Broker or controlled by the Sales Agent, a special division of commission may apply, such rate of division to be agreed upon in advance by the Broker and the Sales Agent. In the event that two or more Sales Agents participate in such a service, or claim to have done so, the amount of commission earned with regard to that service in excess of that accruing to the Broker shall be divided between the participating Sales Agents according to an agreement between them or as sat out in the Broker's Policy and Procedures Manual. In no case shall the Broker be personally liable to the Sales Agent for any commissions, nor shall said Sales Agant be personally liable to said Broker for any commissions, but when a commission shall have been collected from the party or parties for whom the service was performed, said Broker shall hold the same in trust for Sales Agent and Broker, such commission to be promptly divided and disbursed according to the terms of this Agreement, Any promissory notes taken as commission shall be collected by the Broker and shall be disbursed to the proper parties as and when payments are received.
- 6. The division and distribution of the earned commissions as set out in Paragraph 5 hereof, which commissions shall be collected by the Broker, shall take place as soon as practicable after collection of such commissions from the party or parties for whom the services shall have been performed.
- 7. In all litigation and controversits arising out of the relationship between Broker and Sales Agent, the Sales Agent hereby grants to Broker a power of attorney in his name, place and stead to institute an action in arbitration and/or in a court of competent jurisdiction concerning commissions or other matters related to the conduct of such real estate business of Broker and Sales Agent as shall have been pursued by the parties under this Agreement, to conduct same to

a final decision, to negotiate settlements, to defend actions, suits, or proceedings pertaining to said real estate business, to employ counsel and to conduct said matters to final consummation in such manner and upon such terms as to Broker may seem expedient or desirable.

- 8. In the event any transaction in which Sales Agent is involved results in a dispute, arbitration, litigation or legal expense, Sales Agent shall cooperate fully with Broker. Broker and Sales Agent shall share all expense connected herewith in the same proportion as they would normally share the commission resulting from such transaction if there were no dispute, arbitration or litigation. It is the policy of Broker to avoid litigation whenever possible, and Broker has sole discretion to determine whether or not any litigation or dispute shall be prosecuted, defended, compromised, or settled and the terms and conditions of any compromise or settlement, or whether or not legal expenses shall be incurred.
- 9. Sales Agent shall have no authority to bind, obligate or commit Broker by any promise or representation unless specifically authorized by Broker in writing in a particular transaction; provided, however, that Sales Agent shall be and is hereby authorized to execute contracts of sale, leases and listing agreements for and on behalf of Broker as Agent or Principal Agent, so long as the commission involved in such transaction is not less than that determined for such transaction or service by Broker.
- 10. It is agreed that Sales Agent shall furnish his own automobile and pay all expenses thereof and that Broker shall have no responsibility therefor. Sales Agent agrees to carry public liability insurance upon his automobile with minimum limits of One Hundred Thousand Dollars (\$100,000.00) for each person and Three Hundred Thousand Dollars (\$300,000.00) for each accident and with property damage limits of Twanty-Five Thousand Dollars (\$25,000.00) and shall annually provide Broker with proof of such coverage. Further, Sales Agent shall pay all his own expenses relating to his sales activities, except those which Broker expressly agrees to pay in writing including, but not limited to, all association dues and expenses, automobile expenses, business cards, announcements and errors and omissions insurance.
- 11. This Agreement shall be governed by the laws of the State of Maryland. It shall be binding upon and the benefits shall inure to the heirs and successors of the parties hereto. This Agreement is personal to the parties and may not be assigned, sold or otherwise conveyed or transferred by either of them.
- 12. This Agreement does not constitute a hiring or employment by either party. The parties hereto are and shall remain Independent Contractors bound by the provisions hereof. This Agreement shall not be construed as a partnership and neither party hereto shall be liable for any obligation incurred by the other except as provided herein. Broker shall not withhold from commissions due Sales Agent any amounts for taxes, social security or any other items. Broker shall not make any premium payments or contributions for unemployment compensation for Sales Agent. Broker, only if required by the laws of the State of Maryland and/or other jurisdiction, shall make premium payments for workmen's compensation insurance for the Sales Agent. This requirement to pay such premium shall not affect the Independent Contractor relationship created herein.
- 13. It is expressly agreed by the parties hereto that this Agreement is made and entered into by the Sales Agent who is an independent contractor and the Broker; and it is expressly agreed that the individual, independent contractor, will not be treated as an employee with respect to the service performed hereunder for federal tax purposes and is not an employee of the Broker. It is being

expressly intended that in accordance with the Internal Revenue Code that the Sales Agent shall be construed to be an independent contractor and not an employee and will not be treated as an employee by the Broker. It is further expressly agreed that the Broker will file the appropriate federal form 1099 reporting independent contractor income and that the Sales Agent will file all required federal and state employment tax forms, estimated tax returns and federal and state income tax returns on a timely basis.

- 14. Sales Agent recognizes that the books and records of the Broker are confidential and he therefore covenants and agrees that he shall not, either during the term of this Agreement or at any time thereafter, make any disclosure from said books and records of Broker as to the information set forth therein.
- 15. It is agreed that Sales Agent shall not conduct any other business from the office of Broker and shall not use the Broker's telephones, secretarial service, office space and the like for his own personal business except that which is directly related to the sale, listing and general brokerage services being rendered by Sales Agent through and under this Agreement and for the benefit of himself and the Broker.
- 16. This Agreement and the association created hereby may be terminated by either party hereto at any time upon three (3) days prior written notice given to the other, but the rights of the parties to any commissions which accrued prior to said notice shall not be divested by any such termination of this Agreement. On the occurrence of any of the following causes, Broker may, in Broker's sole discretion, terminate this Agreement:
 - A. Election of Broker to sell the entire business or to cease doing business at the office location specified hereinabove;
 - B. Any breach of this Agreement by Sales Agent:
 - C. The failure of Sales Agent to maintain a valid and current real estate license in the State of Maryland and/or other jurisdiction:
 - D. Failure on the part of Salos Agent to comply with any law or regulation of the Maryland Real Estate Commission or other appropriate authority;
 - E. The filing by or against Sales Agent of any petition under any law for the relief of debtors; and
 - F. Conviction of Sales Agent of any crime, other than minor traffic offenses.
- 17. Upon termination of this Agreement, Sales Agent further agrees not to furnish to any person, firm, company or corporation any information as to Broker's clients, customers, properties, prices, terms of negotiations, nor Broker's policies or relationship with clients and customers, nor any other information concerning Broker and/or Broker's business. Sales Agent shall not, after notice of termination of this Agreement, remove from the files or from the office of the Broker any maps, books and publications, card records, investor or prospect lists, or any other material, files or data belonging to Broker. It is expressly agreed that the afore specified records and information are the property of Broker.

FEC	
FORM	3

REPORT OF RECEIPTS AND DISBURSEMEN For An Authorized Committee

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			For further information contact:	

Federal Election Commission 969 E Street, NW Washington, DC 20469

Toll Free 800-424-9530 Local 202-594-1100

DETAILED SUMMARY PAGE FEC Form 5 (Revised 12/2003) Of Receipts Page 8 Wife or Type Committee Name				
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Federal Election Commission ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS The FEC added this page to the end of this filling to indicate how it was received. Date of Receipt Hand Delivered 1/16/08 USPS First Class Mail . Postmarked (R/C) **USPS** Registered/Certified **Postmerked USPS Priority Mall**. Delivery Confirmation™ or Signature Confirmation™ Label **Postmerked USPS** Express Mail Postmark (llegible No Postmerk Shipping Date Overriight Delivery Service (Specify): Next Business Day Dalivery Date of Receipt Received from House Records & Registration Office Date of Receipt Received from Sensts Public Records Office Date of Receipt Received from Electronic Filing Office Data of Receipt or Postmarked Other (Specify):

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999 E Street, NW Washington, DC 20463

Toli Free 800-424-8680 Local 202-694-1100

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